

UTAH RADIATION CONTROL BOARD

MINUTES OF THE UTAH RADIATION CONTROL BOARD MEETING, July 22 2002, (by teleconference), 1:30 p.m., Department of Environmental Quality (Bldg #2), 168 North 1950 West, Conference Room 205, Salt Lake City, Utah.

BOARD MEMBERS PRESENT

Stephen T. Nelson, Ph.D., Chairman
William J. Sinclair, M.S.E.H., Executive Secretary
Linda Kruse
Karen S. Langley, M.S.
Dianne R. Nielson, Ph.D.
Gregory G. Oman, D.D.S., B.S.
Gene White, Commissioner
Thomas K. Chism, M.S.

BOARD MEMBERS ABSENT/EXCUSED

Gary L. Edwards, M.S., Vice Chairman
Rod Julander, Ph.D.
Kent Bradford, P.G.
John Thomson, M.D.

DRC STAFF/OTHERS PRESENT

Fred Nelson, Utah Attorney General's Office

PUBLIC

None

GREETINGS/MEETING CALLED TO ORDER

The Utah Radiation Control Board convened by teleconference on July 22, 2002. Public meeting space to observe the proceedings and listen to the conference call were made available in the DEQ Building #2, Room 205, 168 North 1950 West, in Salt Lake City, Utah. The meeting was called to order at 2:00 p.m., by Stephen Nelson, Chairman of the Board.

I. APPROVAL OF MINUTES (Board action item)

Stephen Nelson asked Board members if there were any corrections needed to the June 7, 2002 meeting minutes. After receiving no response, Karen Langley moved that the minutes of the June 7, 2002 meeting be approved, seconded by Tom Chism. Bill Sinclair then conducted a roll call vote of the motion:

Stephen Nelson, Chairman	<u>Aye</u>
Karen Langley	<u>Aye</u>
Tom Chism	<u>Aye</u>
Gene White	<u>Aye</u>
Linda Kruse	<u>Aye</u>
Dr. Greg Oman	<u>Aye</u>
Dianne Nielson	<u>Aye</u>

CARRIED AND APPROVED UNANIMOUSLY

II. RULES

a. Changes to R313-15-1001, and R313-22-39 relating to uranium mills and uranium mill tailings disposal facility requirements - final approval (Board action item)

Bill Sinclair reported that a notice of a thirty-day public comment period on changes to rules R313-15-1001 and R313-22-39 relating to uranium mills and uranium mill tailings disposal facility requirements was published in the May 15, 2002 edition of the Salt Lake Tribune and The Deseret News. An extension to the public comment period was granted by the Executive Secretary on these two rules and other uranium mill and tailings rulemakings until close of business on June 28, 2002. Legal advertisements announcing the extension to the comment period of the rulemakings was published in the May 29, 2002 edition of the Salt Lake Tribune and The Deseret News, the May 29, 2002 edition of the Moab Times Independent, and the May 28, 2002 edition of the Blue Mountain Panorama (Blanding). No written comments were received regarding the proposed changes to R313-15-1001, and R313-22-39.

He indicated that these rules are necessary for the Division to obtain an amended Agreement from the Nuclear Regulatory Commission to regulate uranium mills and tailings. Included in the packet are copies of the rules as filed and a copies of the public notices extending the comment period until June 28, 2002. It was recommended that the Board give final approval to changes to R313-15-1001 and R313-22-39 and set the effective date as of July 22, 2002.

Karen Langley made a motion that the Board approve the changes to R313-15-1001 and R313-22-39 and set the effective date as of July 22, 2002, seconded by Tom Chism. Bill Sinclair then conducted a roll call vote of the motion:

Stephen Nelson, Chairman	<u>Aye</u>
Karen Langley	<u>Aye</u>
Tom Chism	<u>Aye</u>
Gene White	<u>Aye</u>
Linda Kruse	<u>Aye</u>
Dr. Greg Oman	<u>Aye</u>
Dianne Nielson	<u>Aye</u>

CARRIED AND PASSED UNANIMOUSLY

b. Changes to proposed rules R313-24, R313-19-2 - to public comment (Board action item)

Bill Sinclair stated that a public notice of a thirty-day public comment period on changes to rule R313-19-2 and new rule R313-24 relating to uranium mills and uranium mill tailings disposal facility requirements was published in the May 15, 2002 edition of the Salt Lake Tribune and The Deseret News. An extension was granted on these two rules and other uranium mill and tailings rulemakings until close of business on June 28, 2002. Legal advertisements announcing the extension to the comment period of the rulemakings was published in the May 29, 2002 edition of the Salt Lake Tribune and The Deseret News, the May 29, 2002 edition of the Moab Times Independent, and the May 28, 2002 edition of the

Blue Mountain Panorama (Blanding). Written comments were received on new rule R313-24 and R313-19-2. Since the written comments had suggested substantive changes, the Executive Secretary repropounded new rule R313-24. The Executive Secretary also repropounded R313-19-2 due to comments regarding suggested changes from the NRC.

These rules were necessary for the Division to obtain an amended Agreement from the Nuclear Regulatory Commission to regulate uranium mills and tailings. He recommended that the Board approve changes to proposed rule R313-19-2 and new rule R313-24 be filed with the Division of Administrative Rules and the rules be made available for a 30-day public comment period.

Gene White made a motion that the Board approve changes to proposed rule R313-19-2 and new rule R313-24 be filed with the Division of Administrative Rules and the rules to be made available for a 30-day public comment period, seconded by Linda Kruse. Bill Sinclair then conducted a roll call vote of the motion:

Stephen Nelson, Chairman	<u>Aye</u>
Karen Langley	<u>Aye</u>
Tom Chism	<u>Aye</u>
Gene White	<u>Aye</u>
Linda Kruse	<u>Aye</u>
Dr. Greg Oman	<u>Aye</u>
Dianne Nielson	<u>Aye</u>

CARRIED AND PASSED UNANIMOUSLY

As this concluded the business, the meeting was adjourned at 2:15 p.m.